NORWICH, CONN., TUESDAY, APRIL 11, 1911

# NEW TRIAL FOR DANBURY HATTERS

United States Circuit Court of Appeals Reverses Judgment of \$232,240.12

## COURT ERRED IN DIRECTING VERDICT

Reversal of Lower Court's Decision Based on This Circumstance-Case Based on Sherman Anti-Trust Law Involving Claim of Boycott Against the Plaintiff-The Issue in Litigation for the Past Eight Years.

as the United Hatters of North America, was brought up again today by a reversal of the judgment for \$232.-240.12 which Loewe & Co. of Danbury obtained as damages for the union's alleged boycott in the hat manufac-Verdict Was Directed by Court.

The United States circuit court of appeals took up the case on a writ of error- to review the judgment of the circuit court in Connecticut. In an opinion written by Judge Lacombe and concurred in by Judges Cox and Noves the judgment is reversed. The upon which the judgment was ally entered was practically directed by the court, which left to the jury merely the matter of damages as the "only question with which they could properly concern themselves." The jury assessed the damages at \$74.000, which amount, in accordance with the constraint provision of the Sherthe conspiracy provision of the Sher-man law-the court trebled.

A New Trial Ordered. Setting aside the judgment, the court appeals finds the lower court erred directing the verdlet. A new trial

Of the facts, conceded by demurrer, which were relied upon in the former decision, Judge Lacombe says in his opinion it has been proved that the inited Hatters were in association with the American Federation of Later; that the Hatters union undertook to unionize the factories and when the manufacturers refused to allow this, a union war was declared.

The Plaintiff Held Out. some instances the owners at refused to unionize their factothe opinion reads, "and mission eries purporting to represent the com-bination visited customers of recalci-trant owners in different states and rant owners in different states and old them that unless they ceased to andle their goods the associated un-one would refrain from patronizing bem. The plaintiff in the case held

Strike at Danbury Factory.

hereupon a strike was called ich took all the union men out of intiff's factory. Subsequently the ssionaries representing themselves Hatters, visited customers of plain-time in other states. To some of these customers they stated that unless they would cancel any orders they had giv-en for plaintiff's goods and would agree to discontinue buying goods from plain-tiffs in the future their (the customers) factories would be tied up and the men called out.

Danbury Firm Lost Patrons.

To others they stated that if they minued business with the plaintiffs by (the missionaries) would call on their own customers and endeavor to prevent their using their goods, i. e., the goods offered for sale by the persons interviewed. To others they stated that unless they ceased to deal in pinintiff's goods they would be boycotted, or would be put on the unfair list. Some of the customers of plaintiffs who were thus interviewed ceased to make further purchases of Loewe hat because of the statements made to them at these interviewe." Might Be Violation of Anti-Trust Law

needers to inquire whether bovotts generally or this particular variety of boycott are or are not aniawird, or under the statutes of some particular state, but declares that "if it is shown that individuals combined to induce a manufacturer engaged in interstate entire are to conduct his business as

Discussing the points raised on ap-ni, Judge Lacombe stays the assign-ent of error which is upheld, is the action of the trial judge in taking the case from the jury and "himself de-dding every question, except the amount of damages."

Approval of Unlawful Acts Must Be Shown.

New York, April 16—The long stand-ng controversy between the Danbury Conn.) hatters and the union known s the United Hatters of North Amerpal of any and all agents who might be employed by its officers in carrying out the objects of the association, and responsible as principals if such agents used illegal methods or caused illegal methods to be used in undertaking to methods to be used in undertaking to carry out their objects. We cannot assent to this proposition. Something more must be shown, as for instance, that with the knowledge of the members unlawful means had been so frequently used with the express tacit approval of the association that its agents were warranted in assuming that they might use such unlawful means in the future, that the associameans in the future, that the associa-tion and its members would approve or tolerate such use whenever the end

sought to be obtained might best be obtained." Incompetent Evidence Admitted. The trial court admitted evidence of the payment of their dues to the union by defendants, after complaint was served. The court of appeals holds that this was not competent either as showing ratification of acts of union agents or that their acts were au-thorized at the time they were per-formed previous to their suit.

Hearsay Testimony Admitted. The trial court also permitted a salesman of the plaintiffs to testify the customers told him that at some time prior they had been interviewed by some labor representative who told them that unless they ceased to handle the plaintiffs goods they would get into trouble with the union. The rourt of appeals holds that this was improper hearsay testimony improper hearsay testimony, term. The quintette were convicted of

Case in Courts Since 1903. Danbury, Conn., April 10.—The de-cision handed down today by the United States circuit court of appeals in New York reversing the decision of the United States circuit court, in which \$232,340 damages were awarded the D. E. Loewe & Co. of this city, against the United Hatters of North America, and remanding the case for a new trial, will further extend a case which has been in the courts since 1903 and which at its close practically resolved itself into a contest between the American Anti-Boycott associa-tion and the American Federation of

Factory Run as Open Shop.

to 1961, when the union hatters employed by D. E. Loewe & Co. walked out. The factory up to that time had been run on the open shop plan and after the departure of the union men it was continued on a non-union basis. From 1901 until 1903, when the suit jured by a boycott, especially in the west. Suit was brought against Mar-tin Lawlor and 239 other members of the Hatters' union, and damages of \$250,000 claimed. The complaint alleged that the alleged boycott was a violation of the Sherman and rust

The case was first brought to the United States district court, and the superior court of Fairfield county, but superior court of Fairfield county, but was not tried there, it being taken to the supreme court of the United States on the question as to whether the al-legations made constituted a viola-tion of the Sherman anti-trust law. In February, 1908, the supreme court handed down a decision to the effect that allegations constituted a violation that allegations constituted a violation of the law and in October, 1909, the case was begun in the United States circuit court at Hartford, and after a three months' trial the jury found for the plaintiffs, and Judge Platt awarded them damages of \$222,000, which with costs brought it up to \$232,640. That the American Federa-tion of Labor was back of the hat-

Hatters Carried Case Up. At the close of the case in Hart-ford the defendants carried the case to the United States circuit court of

American Jackies Have Chance to Se

Denmark, Sweden, Russia, Germany

Washington April 10.—The tenta-tive itinerary of the second division of the Atlantic fleet on its cruise in the Baltic sea during May and June

provides for visits to Denmark, Sweden. Russia and Germany, the navy department announced today. One port

in each of these countries will be vis-

All four divisions of the battleship fleet probably will cruise in Mediter-

late enlistments of men of high char-acter. Under this plan, men enlisting for four years have a reasonable pros-

pect of visiting most of the countries of northern and southern Europe, and this plan can be carried out without

detriment to the general training of the fleet since, under the system, training can be carried out at sea and

while cruising abroad as effectively as

Two Years for Embezzler.

Victoria, B. C., April 10.—Edward Mathew Bywell, who embezzled \$2,000 from the Empress hotel in this city while he was employed as accountant

FOUR COUNTRIES

Continuing the decision, Judge La-"It has been argued here that the appeals of New York.

### PHILADELPHIA ATTORNEY TO WED, WIDOW ELKINS Made Yesterday.

Philadelphia, April 10.—Announcement of the engagement of Mrs. Kate Felten Elsins, widow of the late William Lelkins, Jr., of Philadelphia, to William Delaware Neilson, a prominent attorner, club and society man of this city, was made today. No date

this city, was made today. No date has been set for the wedding.

Mrs. Elicins, whose husband was a can of William L. Elkins, the Philadelphia traction magnate, and who become a widow nine years ago, is a daughter of former United States Sension Charles N. Felton of Childrenia. Since her widowhood Mrs. Elkins has been spending much of her time abroad with her father and in California. At present she is staying with ranean waters during October, November and December next.

"It is expected that these foreign cruises," reads the department's memorandum, "will add greatly to the popular interest in naval life and stimulate enjectments of men of high characters.

### BUT SIX VOTES FOR

### WOMAN SUFFRAGE setts Senate.

Besien, April 10.—A last effort to obtain favorable consideration by the legislature this year on woman suffrage failed in the senate today, only all members voting in favor of a woman suffrage bill, while there were 31 votes against it. The house defeated

and who recently was arrested in New Orleans, where he was acting as Y. M. C. A. secretary, pleaded guilty today and was sentenced to two years in the penitentiary. Foston Merchant to Wed.

Foston April 10.— The engagement of Amory A. Lawrence, a wealthy merchant of this city, and Mrs. Thomas Clay Dugan of New York was announced here today. Mrs. Dugan is the niece and adopted daughter of Charles B. Amory of Commonwealth avanue. Mr. Lawrence is a brother of Fishop William Lawrence of Mussa-basetts. He is a nidowe-

## Cabled Paragraphs

Paris, April 10.—Hermann Guth-mann, said to be an American bank employe, committed suicide by shoot-ing at the Hotel Continental.

Frankfort - on - the - Main, Prussia, April 10.—The dirigible balloon Deutschland II, with Count Zeppelin and several passengers, arrived here today from Baden-Baden.

Lima, Peru, April 10.—A general strike of workingmen was begun here today in sympathy with the employes

Tokio, April 19.—It is roughly esti-mated that \$3,000,000 will cover the property loss caused by the fire which yesterday wiped out the Yoshiwari, that district of the capital where social

Rome, April 10.—Two earth shocks were felt here today. The first occurred early in the morning and the second, somewhat lighter, about noon. Some slight alarm was caused in the city, but in the prison there was con-siderable panic, and the prisoners made two separate attempts to mutiny. These, however, were quickly sup-

### HOT WATER TREATMENT FOR EXCITABLE PATIENTS. One Hospital Inmate Kept in a Tul

for a Month. Poughkeepsie, N. Y., April 10.—Wil-liam Cavert of Albany, who appeared before Judge Hasbrouck today in habeas corpus proceedings to obtain his release from the Hudson River State hospital, told the court that patients were cruelly treated at the hospital by being forced to stay in tubs of hot

"One man was kept in hot water for a month," said Cavert, "He was forc-ed to sit there all day long with the water covered by a canvas fastened around the patient's neck. He was forced to eat his meals while he sat in Dr. W. E. Merriman of the hospital for the Mxeican revolutionists. staff said Cavert's statement was true. New Orleans Man Appealed

and explained that the water was heated to 90 degrees and was a new cure for excitable patients. The new treat-ment, the doctor said, is a success. The doctor said it would be dangerous to Cavert at large. The court reserved delision.

Cavert was at one time a bank clerk in Albany and has been in the institution sonce 1901.

### GERMAN METHODISTS DECLARE FOR PEACE Appointments Made at Annual Confer ence in Philadelphia.

ing resolutions favoring international peace, the East German conference of the Methodist Episcopal church, in session here, adjourned today, to meet next year in Brooklyn. The resolutions praise President Taft's efforts to bring about an arbitration treaty between the United States and Great Britain. Bishop J. L. Nuelson of Cincinnati made these appointments among others

for the ensuing year:
East District—Henry H. Heck, su-perintendent, Brooklyn.
Boston, Mass.—Carl Rodemeyer. Bridgeport, Mass.—George Wiegand Hartford, Conn.—G. J. Woerz.
Lawrence, Mass.—E. W. Pigelow.
New Haven, Conn.—Paul Loescher.
West District—Henry Mueller, su

perintendent, Hoboken, N. J.

### TRUST DECISIONS Supreme Court Still Deliberating o Tobacco and Oil Cases.

Washington, April 10.—By reason of the failure of the supreme court of the United States to announce today its decisions in either the Standard Oil or the Tobacco "dissolution suits," another week, at least, must pass before the outcome of these cases. pass before the outcome of these cases will be known. Neither was any case decided today which touched in any way the open controversy in the big corporation cases.

Among other business by the court was the restoration of the Missouri two-cent fare cases to the docket for a second argument and the assignment of the West Virginia two-cent far-

PERISH IN FIRE One of Them Attempted to Start Fire with Kerosone.

Lethbridge, Alberta, April 10.—A fire which destroyed the home of Oran Brooks, a homesteader, on the United States boundary line 35 miles east of Coutts, today, burned to death three

badly burned that they also may die. The oldest Brooks boy, aged 12, at-tempted to start a fire in a stove with kerosene oil, and an explosion result-

### \$102,000 CONTRIBUTED FOR CHINESE SUFFERERS People of United States Have Re sponded Quite Generously.

April 10 .- It was an nounced today that in response to further appeals from China another \$20,600 has been sent through Christian Herald auspices to the mis-sionary relief committee. This makes \$192,000 which has been contributed by people all over the United States and sent to aid in the relief of victims of the famine.

At Havre: April 7, Floride, from At Marseilles: April 7, Madonna, from New York.
At Liverpool: April 8, Cedric, from At Christiansand: April 9, Hellig Dlay, from New York. At Glasgow: April 9, Caledonia, from At Naples: April 10, Europa, from New York.

At Naples: April 9, Cincinnati, fron Society Belle Flies in Aeroplane. Washington, April 10.—Another Washington society belle made her first flight in an aeroplane today, when Miss Leonora Rizero, daughter of the Cuban minister, went aloft with Jannus, the aviator, in a Rex Smith hiplane. They rose to about 150 fees and encircled Potomac Park several times.

Carrie Nation Will Recover. Prince Henry Takes a Fly.

Darmstadt, Germany, April 16.—
Prince Henry of Prussia was a passenger today with August Euler in a new aeroplane invented by the Grand Duke of Hesse. The machine is reported to be remarkably fast

Leavenworth, Kas. April 10.—Reports that Mrs. Carrie Nation the Kansas saloon smasher, died today are untrue. Doctors at the local sanitarium at which Mrs. Nation is a pateint said this evening that her health is better than at any previous time since her arrival and they expect her complete recovery soon.

### Williams Left **Death Claims Poisoned Food** Tom L. Johnson

FEDERAL COMMANDER MAYOT CLEVELAND'S EX-MAYOR PASSED HAS IT ALL BURNED.

CYANIDE IN THE FLOUR

Leading Williams' Band of Filibusterers-Rebels Need Ammunition.

Mexicali, Mexico, April 10.—Colone Mayot, commander of the federal forces near here, today burned all the provisions abandoned by Stanley Will iams' filibustering American band after the fight of Saturday.

Food Dosed with Cyanide. According to survivors of the lat-ter force, Mayot's suspicion that the food was poisoned was well founded. One guerilla said enough cyanide had been mixed with the flour to have killed the entire federal army. Stock Restored to Cudahy Ranch. Both Colonel Mayot and General Sa-

linas, the latter in command of the guerilla garrison here, returned to the Cudahy ranch the stock stolen by Williams' raiders. Part of the stock was abandoned after Saturday's fight and the rest brought here. English Veteran Succeeded Williams. Capt. John Price, an English vet-eran of the Boer war, has taken com-mand of Williams' band,

\$20,000 For Delivery of Ammunition New Orleans, April 10-Twenty thou-sand dollars will be paid for the delivery in Mexico, at a point between El Paso and Chihuahua, of a consign-ment of \$70,000 worth of ammunition

New Orleans Man Appealed To. A New Orleans business man today was appealed to by a member of the revolutionary junta to devise some way of guaranteeing the delivery of the big shipment of ammunition said to be waiting on railroad side tracks in

Federals Lost Thirteen. Mexicali, Mexico, April 10.—Colonel Mayot, commanding the Mexican fed-erals around Mexicall, gave out today the number of his dead in Saturday's battle as thirteen. Vincente Zpul-veeda, the line rider, who was among Saturday's federal wounded, died to-

More Troops Needed to Patrol Border El Paso, Texas, April 10.—Insurrec-tos have been reported at San Ignaclo, forty miles east of Juarez, and at Columbus, N. M., 70 miles west. Customs Collector Sharpe telegraphed the treasury department today, ask-ing for more troops to patrol the bor-der west of Columbus.

It is rumored that four machine guns, five hundred thousand Mauser, and five hundred thousand rounds of rifle ammunition have been smuggled across the border west of Columbus. ne maderista army.

SEVEN-YEAR TERMS

### FOR BLACK HAND LEADERS mon Pleas Court at Newark.

Newark, N. J., April 10.—Seven years at hard labor in state's prison was the sentence meted out to each was the sentence meted out to each of four leaders of a Black Hand band in the common pleas court here to-day. A fifth prisoner, a wealthy Italian was sentenced to a three years' retired from Detroit. tan, was sentenced to a three years' term. The quintette were convisted of drugging and robbing two men, largely on the testimony of a woman confederate, who turned state's evidence.

A woman with her baby in her arms directed as stream. directed a stream of profanity and after sentence had been pronounced. She explained to the sheriff, who removed her from the court room, that she was the wife of one of the prisoners and thought that her husband had been too severely punished.

"DRIFTWOOD MANOR"

## Country Estate of Banker Robin Auctioned Off to Satisfy a Lien.

New York, April 10.—"Driftwood Manor," the country estate of Joseph G. Robin, the fallen banker, was sold today at auction from the courthouse steps at Riverhead, L. L. to satisfy a mechanic's lien of \$4,000. The property fetched \$50,100, of which \$45,000 is represented by two mortgages held by corporations in which, it is alleged, Robin held the controlling interest.

## (Special to The Bulletin.)

Washington, April 10.—Senator Brandegee introduced in the senate this afternoon petitions from the fol-lowing grange organizations, all of them in opposition to the Canadian them in opposition to the Canadian treaty: Burriti grange of New Britain, Lebanon, Mystic, Chester, East Lyme, Wichita of Warren, Woodbridge, Unity of Deep River, Watertown, Farmill River of Huntington, Senezt of Woodstock, Newington, Coventry, Easton, First grange of Killingly, Mattabessett of Middletown, Colebrook, Morris, Kent, Columbia, Plymouth, Konomoc of Waterford, East Canaan, Canterbury, Shatucket of Scotland, Wamanesa of Gaylordsville, Woodstock of North Woodstock, New Canaan, Glastonbury, Colstock, New Canaan, Glastonbury, Col-chester Ledyard.

He also presented one in favor of the treaty, sent by the Rock Rimon grange

of Beacon Falls.

Also resolutions adopted by the following granges opposing a limited parcels post: North Cromwell of North Cornwell, Rock Rimmon of Beacon Falls, New Canaan of New Canaan, Silker Lake of Sharon, Wichita of Warren, North Stonington of North Stonington and Canterbury of Canterbury. Also resolutions adopted by the Clan-na-Gael of Danbury protesting against the enactment of any arbitration treaty with Great Britain. Also tion treaty with Great Britain. Also resolutions adopted by a public meet-ing of citizens in Meriden, demanding that the United States troops be with drawn from the Mexican border.

Representative Noble Suffers Relapse Hartford, Conn., April 10.—Repr sentative John H. Noble of Old Lyn citis, suffered a relapse tonight, and while his condition is not considered necessarily critical, it is serious, Mr. Noble was taken ill while at the capitol and was removed to the hos

near, being refused their demand of \$3.50 a day, an increase of 50 cents, vesterday went out on strike, stopping construction work on many buildings.

AWAY LAST EVENING.

HAD BEEN ILL OVER A YEAR

Lived to See Three-Cent Fares Established at Cleveland-Four Times Mayor and Twice in Congress

Cleveland, April 10 .- Tom L. Johnson, twice congressman from the Twenty-first Ohio district, four times mayor of Cleveland, champion of three cent street railway fare and prominent advocate of the single tax theories of the late Henry George, died in his apartments in the Whitehall at 8.45 o'clock tonight, after a long illness. Death was caused by cirrhosis of the liver. He was 55 years old.

Had Been III Over a Year. Mr. Johnson had been ill for more than a year, but his condition was not thought serious until he suffered a re-lapse on Wednesday, March 15. He had been gaining strength ever since he came home after spending the sum-mer on Nantucket Island. On Satur-day night, March 11, he left his apartments and attended a banquet at the Nisi Prius club, an organization of Cleveland lawyers. He remained there until 2 a. m. Sunday, and when he re-turned to his home he complained of not feeling well.

Took to His Bed March 15. The following Wednesday his condi tion was such that he was obliged to go to bed. From that day to the time of his death his condition was grave, though several times he rallied amaz-ingly. Although he realized he did not have long to live, he was cheerful and optimistic to the end.

Called Himself "a Stormy Petrel." Tom L. Johnson once referred to himself in a public address as "a stormy petrel," and this metaphor accurately described him and his career. From the time he entered the offices of a Louisville street railway company at the age of 15 until his defeat for a fifth term as mayor of Cleveland on Nov. 2, 1909, he was in the stress of some storm, political or financial, and he often said that it was thus that he most enjoyed himself.

A Native of Kentucky. Johnson was born in Georgetown, Ky., July 18, 1854. He was christened Thomas Loftin, but he always preferred to call himself Tom L., and so he was known from boyhood. He started to work in a Louisville traction office and when still a youth secured sufficient backing and bought a controlling in-terest in the Indianapolis street rail-

Elected to Congress in 1891. In the '80s, with his brother Albert, ne came to Cleveland and became in-terested in the street car systems here and assisted in a partial consolidation of them. He became a director in the Cleveland Electric Railways company candidate for a third term he went to yards. New York, disposing of his street car interests in Cleveland and acquiring control of the Nassau street railway ine in Brooklyn.

Proposed Three Cent Fares in Detroit. While engaged in business in Cleveand he sold his Indianapolis tractio noldings and acquired control of the Viterbo, Italy, Genano Ascrittere testi-fied that his observations of De Angelis' Detroit car lines, and it was then that he first proposed three cent fares. The citizens of Detroit, however, rejected

He also entered into the steel manu-facturing business at Johnstown, Pa. Moxham, Pa., and Lorain, O. interests he successively disposed of, and when in 1900 he sold his Brooklyn traction line he was left free of business cares. He returned to Cleveland and in April, 1901, was elected mayor of Cleveland on a platform which promised universal three cent car

Three Cent Fares Not a Success. company which lasted until 1908 and FIFTY-FOUR BODIES through four elections, in each of which he was triumphant, the Cleve land traction lines passed into the hands of the Municipal Traction com-pany. After six months' trial of operation at three cents the people at a ref-rendum election voted out the fran-chise and the municipal company pass-

ed into the hands of a receiver, where it remained until February, 1916. One more attempt was made by Johnson to obtain the passage of the three cent grants, but his proposals were rejected at an election held Aug. 2, 1909. His own defeat followed three months later, and on Jan. 1, 1910, he were rejected at an election held Aug. 2, 1909. His own defeat followed three months later, and on Jan. 1, 1910, he surrendered the reins of office to the present mayor, Herman C. Baehr.

Three Cent Fares at Last Established.

Two months later three cent fare

Two months later three cent fare present mayor, Herman C. Baehr.

Two months later three cent fare Johnson's efforts.

In 1903, while Mr. Johnson was mayor of Cleveland, he was nominated for governor by the democrats of Ohio, but was unsuccessful at the election.

Besides his wife, Mr. Johnson is survived by one son, Loftin, and a daughter, Mrs. Bessie Mariani. End Was Peaceful.

Mr. Johnson passed away so quiet-ly and peacefully that his death al-most escaped unnoticed from the watchers. Dr. Oscar Thomas at 8.45 most escaped unnoticed from the watchers, Dr. Oscar Thomas at 8.45 p. m., felt the unconscious dying man's pulse, and two moments later announced he was dead. In addition to Mrs. Johnson, Loftin Johnson and Mrs. Elizabeth Mariani and James Tyler, the dead man's faithful valet, those in the apartment when death came were the following intimate friends:

C. M. Bates of Trenton, N. J. City Solicitor Baker, A. B. Dupont, W. B. Gongwer, Mrs. J. T. Hill and C. W. Stage.

Funeral arrangements had not beer ompleted late tonight, but the burial will probably be in Greenwood cemetery, Brooklyn, N. Y., where Mr. Johnson had long owned a lot beside the one in which Henry George is buried. It is said that Mr. Johnson accompanied Mr. George when the latter

A Momevent Has Been Started to

House Democrats Have Decided on

an order of legislation for the extra session. Consul Felix S. Johnson Reports

hortage in the canning industry Representative Stanley Will Push hi

Ransom Young, Who Has Voted for nineteen presidents, died at Hazieton, Pa., aged 108 years.

A Squadron of American Warships will be invited to visit Kiel during re-gatta week, June 19. George Prentiss Butler, a New York

Arthur B. Pease, a Lawyer and club man, of Chicago, committed suicide with cyanide of potassium.

Professor Andrews of Amherst delared swearing to be as necessary as any other form of language.

no idea of proroguing congress. Limantour, Mexican Minister of Fi nance, says no person has been named by the government to arrange terms of

The Archaeological Exhibition of the Italian jubilee was opened at the Baths of Diocletian in Rome by the king and Indications Point to a Stormy Ses

sion of congress, both parties being split and each faction being of aggres sive spirit. Navy Department Reports on the re-cent battleship practice in the Chesa-

peake shows noteworthy improvement

Twenty Thousand Wine Growers held a meeting at Troys, France, to protest against the proposed law of T. H. Miller of the Cotton Firm of

Steal-Miller & Co. of Aberdeen, Miss., was found gulity of circulating bogus bills of lading. Senor Manuel de Zamacona, who ucceeds De la Barra as Mexican ampassador to the United States, has ar rived in New York.

The Mexican Authorities Are Mining the approaches of Chihuahua and put-ting up defenses to prevent Madero from taking the city. Judge Sanborn of the Federal Court

law reducing passenger and freight rates was unconstitutional. The Audubon Society Claims that the increased cost of living is, to a considerable extent, due to the extermination of crop pest destroying birds.

The Turkish Parliament Confirmed & Co., Limited, of London. In the Trial of the Camorrist at

President Taft Received in the East room of the White House yesterday students from the New Bedford, Mass, high school and a delegation from the academy at Fryeburg, Me., with Sena-

The Customs Court in a Decision esterday held in effect that the so alled "favored nation" clause in th existing commercial treaties with England, France and Germany does not restrict the United States in effecting proposed reciprocity agreemen

## BROUGHT TO SURFACE Nine of Those Taken from Banne

Mine Horribly Mutilated. Banner, Ala., April 10.—Only 54 bod-ies of the 128 victims known to have perished in the Pratt City Consolidated coat mine had been brought out up to 9 o'clock tonight. Sixteen other bodies are at the bottom of the pit and will be brought to the surface tonight. There was considerable delay in the rescue work because of the change in

Saturday morning was at this point.

The accident resulted from careless handling of powder, bringing it in con-

REFUSES TO DRAW

Can Enjoy Dormitory Privileges Cornell University.

### OBITUARY.

Prof. John C. Freeman. Topeka, Kas., April 10.—Prof. John C. Freeman, who had been at the head of the department of English of the University of Wiscousin since 1878. m., when as his wife, daughter and son were bending over his bedside, he roused from his stupor sufficiently to open his eyes, smile faintly and whisper "Hello." That was the last word uttered by him, for he at once relapsed into unconsclousness.

C. Freeman, who had been at the head of the department of English of the University of Wiscousin since 1878, died here today at the home of his son. He has been on a leave of absence was for four years United States consult at Copenhagen.

bought his burial lot in Ceenwood and purchased an adjoining fot.

# Condensed Telegrams TWENTY GO DOWN

A Score of Lives Lost by Foundering of Small Wooden Steamer

## CAPSIZED WHEN STRUCK BY A GALE

Sixteen of the Dead Were Passengers-Purser Among the Victims and List of the Passengers May Never be Obtained-Steamer Had Been Out of Port But Fifteen Minutes When She Went Down.

Victoria, B. C., April 19.—It is be- tore off the house and the sea was lieved that twenty lives were lost when covered with wreckage, amid which the little wooden steamer Iroquois, men and women struggled for their the little wooden steamer Iroquois, men and women struggled for their plying betwen Sydney, Vancouver Island, and the islands of the Gulf of ashore many had on life belts. Georgia, capsized soon after leaving

Sydney today. Steamer's Purser Among the Dead. The purser, who had a record of fares collected, is among the dead, and it is not probable that the exact number that perished will ever be known. Four passengers and seven members of the crew were rescued, and four of the crew and probably sixteen passen-

bers were drowned Partial List of the Victims. Following is a partial list of the

D. N. Davidson; Mrs. Houston and child.

Crew—A. Olsen, fireman; Herbert shallow water, found water ser; Chinese cook.

Similar Disaster on March 24th. Today's disaster on warch 24th.

Today's disaster was in some respects similar to the loss of the steamer Sechelt with 26 lives off Beechy Head on March 24. The Sechelt, a wooden steamer of almost the same speed and dimensions as the Iroquois, was struck by a gale, rolled over on her side and went down in a few min-Only one body from the Secchelt was found.

Purser's Body on Bale of Hay. The passengers saved today drifted ashore upon life buoys in the last stages of exhaustion.

Purser Munroe's body was found encircled with a life belt and floating

on a bale of hay. Survivors Seen Clinging to Wreck. When the Iroquois foundered part of the upper works were left above anter, and persons ashore could see the survivors clinging to that portion of found them shivering on the rocks.

OBJECTIONABLE PROVISION IN ARIZONA CONSTITUTION President Taft Frowns on the Idea of Recalling Judges.

Washington, April 10.-Although The shipment is said to have been billed as mining machinery to the "American Mining company," at lonely
point near Hachita, N. M. Residents
of Juarez still expect an attack by
the Madarista arms.

If the became a director in the
mination of crop pest destroying birds.

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The First Squadron of the Atlantic
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thamselves. The president looks with disfavor on the proposition for the recall of judges.

To Chairman Flood of the house committee on territories and Representative Houston of Tennessee the president outlined a scheme today to solve the problem. The president's proposal was that the constitution pending before congress be adopted and that later the people of Arizona, under the constitutional power, propose an amendment to the constitution permitting the recall to apply to all officers now mentioned except judges.

Representative Flood offered a counter-proposal. He showed the president approposal amendment to the chabiling act providing for the admission of Arizona which would obviate the necessity of executive approval of Arizona's constitution and make congress alone pass upon it.

alone pass upon it. THE TEXAS TO AGAIN

Monitor Tallahassee to Bombard Her With 12-Inch Guns. Washington, April 16.—The San Marcos, known in the days of her prime as the battleship Texas, will be the target for another ordnance test on April 19, which will probably consign her to the junk heap. The monitor Tallahassee will bombard the old ship with 12-inch guns fired from varying ranges to obtain technical data for the navy department's information.

The experiment will be held in Ches-The experiment will be held in Ches-apeake bay, where the San Marcos now lies in the mud as a result of the fire of the battleship New Hampshire in the recent ordnance test. All the valu-able material, including her guns, will be removed from the old vessel before

RAILROAD INCREASES. Massachusetts Senate Kills Order Passed by House.

Boston, April 10.—The reported re-cent increases in mileage on some parts of the New York. New Haven and Hartford railroad system in this state will not be investigated by the legis-lature. The senate today, without de-bate, rejected the order for such an nvestigation passed by the house las

begun an investigation in the matter to determine whether the distances between stations are correctly computer by the railroad company for the pur-pose of collecting mileage fares.

Rumblings Heard in Sicily and At mosphere Charged With Electricity. Messina, April 10.—About 1 o clock this evening in various distrills in Sici-ly loud rumblings were hard. A sudden flash of lightning was also observed and an electrical condition of the atmos-phere. No earthshocks were record-

ance was caused by the falling of a Rear Admiral Ward Takes Command. Agron Ward today raised his fing on the battleship Minnesota as command-er of the third division of the Atlantic fleet relieving Rear Admiral Joseph B. Murdock, who on May 19 will be-come commander in chief of the Asi-atle fleet

ed, and it is believed that the disturb

Washington, April 10,-Francis Gold-bach, a professor in Latin, Greek and English at Georgetown university, was drowned in the Potomac here today, wille canoeing with two students. The canoe capsized as Goldbach was reach-

Captain and Mate Saved, A number of launches put off, but were unable to get near the wreck. The first of the survivors to be landed was captain Sears of the wrecked beat, who with Mate Bizer and two Indians

clonging to the crew were Only 15 Minutes Out of Port. The Iroquois foundered fifteen min-utes after leaving Sydney. Her cargo shifted, she listed to port, steamed around as if about to return to port, partly righted herself, went on her around as if about to return to port, partly righted herself, went on her beam ends and, apparently filled with water, foundered in comparatively sales and the sales are sales and the sales and the sales are sales and the sales and the sales are sales are sales and the sales are sales and the sales are sales and the sales are sales are sales and the sales are sales are sales and the sales are sales are sales are sales and the sales are sales and the sales are sale

Wreckage Scattered Along Coast Wreckage is scattered along the coast of Vancouver Island and Indians are patrolling the shore.

Captain Sears, the engineer, and two dockhands who landed at Armstros Point, were within 300 yards of a swamped lifeboat whose occupants were drowned, but were unable to reach them.

Efforts of Rescuers Checkmated. A rescue party set out from Sydney in a launch and was within sight of the people struggling in the water when the steering gear of the launch broke and the rescuers were powerless. One passenger, trying to reach land on a piece of wreckage, was hurled against the rocks at Coal Island and, losing his hold on the wreckage, was drowned.

drowned.

TO DETERMINE WHAT CHRISTIAN SCIENCE IS. New Hampshire Courts May Have to Pass Upon the Question.

Washington, April 10.—Although President Taft might be unwilling to disapprove the constitution of Arizona of what the Christian Science religion account of its provision for the re-

Concord, N. H., some time next week.

WINDSOR COUPLE OVERCOME BY GAS Both Reported in a Serious Condition at Hartford Hospital.

Windsor, Conn., April 18.—Suffering from poisoning from illuminating gas, Reinhart Meyer, 68 years old, and his wife, 58 years old, were taken to the Hartford hospital late today.

Mr. Meyer is said to be in a serious condition. The failure of the milkensu on his arrival this morning at their home at Wilson station to arouse them led him to call their daughter-in-law, who found them both overcome by gas which was escaping from a stove. Mrs. Meyer was lying on the floor of a hallway and her husband was in hed. It is supposed that in panning a dressing sack worn by Mrs. Meyer caught in and opened one of the burners on the stove. A physician worked over them all day and linally ordered their removal to the hospital.

their removal to the hospital, LATEST MOVE IN

COX PERJURY CASE Government Asked to Elect Which Indictment is to Be Pressed. Cincinnati, April 10.—An effort is to be made to have Prosecutor Henry T. Tunt elect upon which indictment he will try George B. Cox on the charge of perjury. Attorney Darby for Cox filed motions late today to that ef-

It is said the defense will argue that when the prosecutor elects one of the two indictments now regarded as valid, the attorneys for Cox will ask dismissal of the remaining indictments. There will be no hearing on Darby's motion until after the supreme court has decided the quo warranto matter,

RECIPROCITY RESOLUTION INTRODUCED IN HOUSE. Representative Prouty Enumerates Ara ticles to Go on Free List.

which will come up at Columbus to

all of fire.

Rear Admiral Ward Takes Command.

Washington, April 10.—Rear Admiral Auron Ward today raised his flag on the battleship Minnesota as command-the total process of the country of the battleship Minnesota as command-the total process of the battleship Minnesota as command-the total process of the third division of the Atlantic Introduced in the house today by Representative Process (1982). resentative Prouty of lows.

It would place on the free lists all meats and packers' products, wheat, flour, rye flour, catment, farm implements, farm engines and other mechinery, cuttary and lumber products.

(Special to The Bulletin.) Washington, April 10. Senator Mc-Lean will attend a dinner at the White House on the 15th inst, given by the president in honor of the newig

ing for an article which had fallen out elected members of the senate.